

REMARKS

Claims 1-6 are pending. Claims 1, 3 and 6 have been amended. No new matter has been presented.

Claims 1-6 are rejected under 35 USC 103(a) as being unpatentable over Chamings, U.S. Patent 6,640,648, in view of Specht, U.S. Patent Publication 2004/0040393. This rejection is respectfully traversed.

According to claim 1, the detector and the sensor element are directly attached to first and second integral sections of the measuring spring in fixed relation to first and second bearings of the measuring spring. The cited art fails to teach or suggest this feature, either alone or in combination.

Chamings teaches a seat belt force measuring device 20. A compression spring 266 of Chamings is supported at its opposite ends by a pair of bearing support members (backer plates 254 and 280). It is to be noted that backer plates 254 are parts of spring subassembly 250; however are members separate from measuring spring 264. Chamings teaches a magnet 252 arranged on and directly attached to backer plate 254 (col. 4, lines 14 to 16). Furthermore, Chamings teaches to a hall effect sensor 230 is disposed in sensor housing 90, which is arranged and directly attached to lower housing member 24.

Clearly neither magnet 252 nor sensor 230 is directly attached to an integral section of helical spring 266. Therefore, amended claim 1 is patentably distinguished from Chamings.

Specht teaches to secure a wire strain gauge 31 to a leaf spring 16, in particular to secure a pair of wire strain gauges 31 to a pair of two leaf springs 16, with the wire strain gauges 31 forming the elements of a measuring bridge. However, Specht does not teach to a detector fixedly attached to a first integral section and a sensor element fixedly attached to a second integral section of one and the same measuring spring.

Thus, the features of claim 1 are not taught or suggested by the cited art, either alone or in combination.

Furthermore, Applicants respectfully submit that one of ordinary skill in the art would not have been motivated to combine the references as suggested by the Examiner. The Examiner suggests that the motivation for combining the references is to accurately measure spring deformation. However, Chamings teaches use a helical coil spring as a measuring spring, and Specht teaches (in Figs. 3 and 4) using a pair of leaf springs as a measuring spring assembly. These are two alternative solutions which cannot be combined as should be apparent by comparing Figs. 1 and 2 of Specht on the one hand and Figs. 3 and 4 of Specht on the other hand.

Claim 6 has been amended to specify that the measuring spring is a leaf spring and the first and second integral sections have recesses receiving the detector and sensor element. Clearly, this structure is neither taught nor suggested by the cited references.

Accordingly, Applicants respectfully request that this rejection be withdrawn.

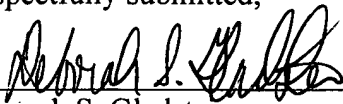
Applicants respectfully request that the amendments to the claims be entered in this after-final Amendment, as they do not require further search and/or substantial consideration by the Examiner.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 449122062600.

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Respectfully submitted,

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